

Appl. No. 10/716,307
Amdt. Dated May 23, 2006
Reply to Office action of February 23, 2006

REMARKS/ARGUMENTS

Applicants would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and applicants request that the application be favorably reconsidered in view of the remarks and amendments made herein.

Applicants acknowledge with appreciation the indicated allowance of claims 11-17 if rewritten in independent form. Accordingly, claim 11 has been amended herein to include the limitations of the base claims and any intervening claims. Claims 12-17 depend from claim 11. Thus, claims 11-17 are now allowable.

Claims 7-8 were rejected under 35 U.S.C. 102(b) as being anticipated by Goe, et al. (U.S. Patent No. 5,593,707). Traversal of this rejection is made for at least the following reasons. Goe does not disclose a second heated tube coupled to a first heated tube to facilitate *recirculating the powdered material between the first and second heated tubes*, as required by claim 7. Goe discloses two heated tubes for delivering powdered material; however, the powdered material is not recirculated between the two heated tubes in Goe. Rather, two heated tubes are provided in Goe for increasing a throughput rate. Col. 7, lines 65-67. Further, each of the heated tubes includes an opening 84, 84' adapted to receive a lower end of a supply tube, which is connected to an outlet 91, 93 of a hopper 89. The hopper 89 includes two outlets 91 and 93 for feeding powdered material to each of the two heated tubes independently. The powdered material then flows through the tubes to a discharge end where heated powdered material is discharged into a heated hopper 96 of a shuttle assembly 6. Thus in Goe, there is no recirculation of the powdered material within the tubes. Because Goe does not disclose each and every limitation set forth in claim 7, Goe cannot anticipate claim 7. Withdrawal of this rejection is respectfully requested.

Claim 26 was rejected under 35 U.S.C 102(b) as being anticipated by Goe, et al (U.S. Patent No. 5,593,707). Traversal of this rejection is made for at least the following reasons. Goe does not disclose means for recirculating powdered material through at least one tube. Rather, in Goe, powdered material is fed into a tube at one end and dispensed into a hopper at the other end. The powdered material only flows through the tube once in Goe. Accordingly, Goe does not disclose each and every limitation set forth in claim 26 and thus, cannot anticipate such claim. Withdrawal of this rejection is respectfully requested.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goe, et al. in view of Arpajian, et al (U.S. Patent No. 3,741,699). Traversal of this rejection is made for at least the

Appl. No. 10/716,307
Amdt. Dated May 23, 2006
Reply to Office action of February 23, 2006

following reasons. Claim 9 depends from claim 7, which is believed to be allowable over Goe for at least the reasons discussed herein. Arpajian does not make up for the deficiencies of Goe. Namely, Arpajian does not disclose, teach, or suggest recirculating powdered material between first and second heated tubes, as required by claim 7. Accordingly, the combination of Goe and Arpajian cannot render claim 9 obvious. Withdrawal of this rejection is respectfully requested.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goe, et al. in view of Arpajian, et al., and further in view of Morgan (U.S. Patent No. 6,380,517). Traversal of this rejection is made for at least the following reasons. Claim 10 depends from claim 7, which is believed to be allowable over Goe for at least the reasons discussed herein. As stated above, Arpajian does not make up for the aforementioned deficiencies of Goe. Likewise, Morgan fails to make up for the deficiencies of Goe and Arpajian as Morgan does not disclose, teach, or suggest recirculating powdered material between first and second heated tubes, as required by claim 7. Thus, the combination of Goe, Arpajian, and Morgan cannot render claim 10 obvious. Withdrawal of this rejection is respectfully requested.

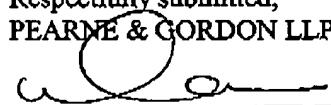
Claim 18 – 25 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goe, et al. in view of McLeod, Jr. et al. (U.S. Patent No. 3,645,505). Traversal of this rejection is made for at least the following reasons. Claims 18-25 depend from claim 7 and claim 27 depends from claim 26. Claims 7 and 26 are believed to be allowable over Goe for at least the reasons discussed herein. McLeod, Jr. does not make up for the aforementioned deficiencies of Goe as McLeod, Jr. does not disclose, teach, or suggest recirculating powdered material between first and second heated tubes, as required by claim 7, or means for recirculating powdered material through at least one tube, as required by claim 26. Accordingly, the combination of Goe and McLeod, Jr. cannot render obvious claims 18-25. Withdrawal of this rejection is respectfully requested.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

Appl. No. 10/716,307
Amtd. Dated May 23, 2006
Reply to Office action of February 23, 2006

If there are any additional fees resulting from this communication, please charge same to
our Deposit Account No. 16-0820, our Order No. 36110.

Respectfully submitted,
PEARNE & GORDON LLP


Una L. Lauricia, Reg. No. 48,998

1801 East 9th Street
Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700
Date: May 23, 2006